

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

STEVEN GUZMAN,

Petitioner,

MEMORANDUM OPINION
AND ORDER

-against-

S2 10 Cr. 1058 (MGC)

UNITED STATES OF AMERICA,

Respondent.

-----X

Cedarbaum, J.

Petitioner Steven Guzman moves for appointment of counsel to assist him in preparing a petition under 28 U.S.C. § 2255. Since there is no constitutional right to the assistance of counsel for a habeas corpus petition, see Coleman v. Thompson, 501 U.S. 722, 756-57, 111 S. Ct. 2546, 2568, 115 L. Ed. 2d 640 (1991), Guzman may be provided with counsel only if "the interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B).

Guzman seeks to bring a claim of ineffective assistance of counsel because his trial counsel, Jean D. Barrett, allegedly failed to "properly investigate his complete background and mental health history prior to advising on a guilty plea," and made other errors that allegedly affected Guzman's plea and sentence.

Barrett investigated Guzman's medical needs with extraordinary diligence. She brought his health problems to my attention and pressed for the best medical care available. Based on my observations of Guzman's attorney, I find that Guzman was very well and effectively represented by counsel before his plea. Providing Guzman with new counsel for a § 2255 petition would therefore not be in the interests of justice.

For the foregoing reasons, the motion is denied.

SO ORDERED.

Dated: New York, New York
June 10, 2013

S/_____
MIRIAM GOLDMAN CEDARBAUM
United States District Judge